

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

GREATER ST. LOUIS CONSTRUCTION)
LABORERS WELFARE FUND, et al.)
)
Plaintiffs,)
)
)
vs.)) **No. 4:16-CV-1730SNLJ**
)
)
SANDERS CONTRACTING, INC.,)
)
)
Defendant.)

MEMORANDUM and ORDER

This matter is before the Court on plaintiffs' motion for attorneys' fees (#12). Plaintiffs brought this action to collect delinquent fringe benefit contributions from defendant Sanders Contracting, Inc. under the Employee Retirement Income Security Act ("ERISA"), 29 U.S.C. § 1132. The Clerk of the Court entered default on January 10, 2017 and required the defendant to submit to plaintiffs, within 30 days, "all of its books, ledgers, payroll records, cash disbursement ledgers, bank statements and other documents reflecting or pertaining to all hours worked by and wagers paid to defendant's employees from February 1, 2015 to date." Although no attorney has filed an appearance for the defendant, plaintiff's counsel has been in contact with an attorney for defendant. Defense counsel stated that his client would produce certain required documents by May 15, 2017, but he did not do so. Defense counsel did not respond to subsequent attempts to communicate.

The Court granted plaintiffs' motion to hold defendant and its representative, Craig Sanders, in contempt of court for refusing to abide by this Court's order. (#11) The Court ordered defendant to pay a compliance fine of \$200.00 per day for each day the above-described check register record is not provided to plaintiffs' counsel past the date of this Order. The Court also

ordered that defendant pay plaintiffs' attorneys' fees and expenses incurred in order to file the motion for contempt.

Plaintiffs filed a motion for their attorneys' fees and a memorandum and affidavit in support. They seek \$333.00 in attorneys' fees. No response to that motion has been filed. Having found that the amount sought by plaintiffs' counsel is reasonable, the Court will grant the motion.

Accordingly,

IT IS HEREBY ORDERED that defendant Sanders Contracting, Inc. shall pay plaintiffs' attorneys' fees in the amount of \$333.00.

Dated this 18th day of September, 2017.



STEPHEN N. LIMBAUGH, JR.
UNITED STATES DISTRICT JUDGE